NORTHERN DIS	ES DISTRICT COURT STRICT OF ILLINOIS EN DIVISION
UNITED STATES OF AMERICA, ex rel., ALAN KOZIKOWSKI,)))))))))))))))))))
Plaintiffs,) No. 11 C 1161 Course
v.) Judge Castillo
MICHAEL JOHNSON, JERRY L. BAUMAN, LARRY DANZINGER, and ERIC A. GISLASON,) FILED IN CAMERA AND UNDER) SEAL)
Defendants.))

NOTICE THAT THE UNITED STATES IS NOT INTERVENING AT THIS TIME

In its last Order, dated April 11, 2013, the court indicated that the United States must make its intervention decision on or before April 14, 2014, and that no further extensions of time would be granted. The United States' investigation has not been completed and, as such, the United States is not able to decide, as of the court's deadline, whether to proceed with the action. Accordingly, the United States hereby notifies the court that it is not intervening at this time. However, the United States' investigation will continue.

Although the United States is not intervening at this time, it refers the court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." *Id.* Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon it. The United States reserves its right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim. The United States also requests that it be served with all notices of appeal.

Finally, the United States requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States investigation, such papers are provided by law to the court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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Dated: April 4, 2014